

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 8456	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/007489	International filing date (day/month/year) 06.07.2004	Priority date (day/month/year) 07.07.2003
International Patent Classification (IPC) or national classification and IPC B31B29/60, B31B19/62, B05C5/02		
Applicant WINDMÖLLER & HÖLSCHER KG		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2.	This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.	
3.	This report is also accompanied by ANNEXES, comprising:	
a.	<input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>8</u> sheets, as follows:	
	<input checked="" type="checkbox"/>	sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
	<input type="checkbox"/>	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
b.	<input type="checkbox"/>	(sent to the International Bureau only) a total of _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4.	This report contains indications relating to the following items:	
	<input checked="" type="checkbox"/>	Box No. I Basis of the report
	<input type="checkbox"/>	Box No. II Priority
	<input type="checkbox"/>	Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
	<input type="checkbox"/>	Box No. IV Lack of unity of invention
	<input checked="" type="checkbox"/>	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<input type="checkbox"/>	Box No. VI Certain documents cited
	<input type="checkbox"/>	Box No. VII Certain defects in the international application
	<input type="checkbox"/>	Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 6, 7 as originally filed/furnished
- pages* 1-5, 5a received by this Authority on 24.08.2005 with letter of 24.08.2005
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 2-17 as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1 received by this Authority on 24.08.2005 with letter of 24.08.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/3-3/3 as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>1-17</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-17</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-17</u>	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
1. This report makes reference to the following documents:			
D1: DE 12 26 869 B (WINDMOELLER & HOELSCHER) 13 October 1966 (1966-10-13)			
D2: US 4 157 149 A (MOEN LENARD E) 5 June 1979 (1979-06-05)			
D3: US 2002/026897 A1 (STEFFENS JORG ET AL) 7 March 2002 (2002-03-07)			
D4: US 2002/079327 A1 (ESTELLE PETER W ET AL) 27 June 2002 (2002-06-27)			
D5: DE 35 06 393 A (WINDMOELLER & HOELSCHER) 28 August 1986 (1986-08-28)			
2. D1, which is considered to represent the prior art closest to the subject matter of claim 1, discloses a generic bottoming device for hexagonal bottom valve sacks as per the preamble of claim 1.			
2.1 The subject matter of claim 1 differs therefrom by its characterizing part: that is, essentially by the presence of a gluing station with glue outlets which can be supplied selectively via valves,			

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wherein the glue supply comprises a tube reaching through an application head.

Therefore, the subject matter of claim 1 is novel (PCT Article 33(2)).

2.2 The problem addressed by the present invention may therefore be considered that of providing a bottoming device that enables glue to be applied more simply and with improved conformity to a preset format.

2.3 The solution to this problem proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)). The reasons are:

Glue outlets which can be selectively supplied with glue (cf. D2, figure 3, reference sign 38, and column 4, lines 10-11), whereby the gluing format can be defined (cf. D2, column 6, lines 34-42), and which are associated with at least one application head (cf. figure 3, reference sign 26) are known from D2; the application head is provided with valves which can selectively open and close the connection between glue outlets and a glue supply (cf. D2, figure 3, reference signs 22, 38 and 42), wherein the glue supply comprises glue feed lines and a chamber through which the valves are supplied (cf. figures 1 and 3, reference signs 16 and 42, and column 2, lines 37-39).

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p data-bbox="412 380 1357 510">However, a glue supply with a tube reaching through the application head is neither known from nor suggested by any of the citations (D1-D5).</p> <p data-bbox="297 575 1357 705">3 Claims 2-17 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.</p>